

1 UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COPY

3 -----x  
4 CONSTELLATION NEWENERGY, INC.,

5 Plaintiff,

6 Civil Action No.

7 -against-

02-CV-2733

8 POWERWEB TECHNOLOGIES, INC., et al.,

9 Defendants.  
10 -----x

11 January 8, 2004

12 10:00 a.m.

13 "CONFIDENTIAL"

14  
15 Deposition of DEIRDRE LORD, taken by  
16 Defendants, pursuant to Scheduling Order, at  
17 the offices of Wolf, Block, Schorr &  
18 Solis-Cohen, LLP, 250 Park Avenue, New York,  
19 New York, before Phyliss Salimbene, a  
20 Registered Professional Reporter and Notary  
21 Public within and for the State of New York.  
22  
23  
24  
25

Exhibit I



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2 deal into any kind of general classification  
3 of projects; like, does it fall into a certain  
4 type of deal that you would recognize as some  
5 kind of category?

6 A. In general, it is a capacity  
7 project, that's how I would generally --  
8 capacity sale and curtailment project.

9 Q. Prior to the Bell Atlantic deal,  
10 were you familiar with any other capacity sale  
11 projects done or entered into by NewEnergy?

12 A. By any region in NewEnergy, not  
13 just New York and New Jersey?

14 Q. Well, let's start with, let's  
15 break them down: What are the regions for  
16 NewEnergy so we can make sure we're talking  
17 about the same thing?

18 A. At the time the regions were  
19 California, New York and New Jersey, New  
20 England, mid-Atlantic and Illinois.

21 MR. SWEET: "At the time," meaning  
22 late '99, early 2000?

23 THE WITNESS: Correct.

24 Q. So were you aware of any other  
25 capacity --

1 DEIRDRE LORD - Confidential

2 A. Capacity sale projects, yes.

3 Q. For New York/New Jersey?

4 A. No.

5 Q. What about for New England?

6 A. No.

7 Q. What about for mid-Atlantic?

8 A. No.

9 Q. Any other A.E.S. regions?

10 A. California, yes.

11 Q. What kind of capacity sale  
12 projects had A.E.S. done in California, A.E.S.  
13 NewEnergy done in California?

14 A. As I recall, the California ISO  
15 paid customers to curtail and sell capacity  
16 and energy in periods of high cost,  
17 high-priced power cost in the summers, and  
18 this would have been summer of '99, I believe.

19 Q. Do you know whether or not A.E.S.  
20 NewEnergy's California region actually had any  
21 customers that participated in that program?

22 A. Yes, they did.

23 Q. And do you know how many customers  
24 participated?

25 A. No, I don't.